

Experts evaluate UPS tentative agreement; what it means for all Teamsters' future

UPSide, Downside

The UPS tentative agreement was ushered in with a flurry of press releases and all the hype that the combined forces of the UPS and IBT PR departments could muster.

Wall Street was more subdued. Analysts with J.P. Morgan said the terms of the contract are consistent with previous agreements while allowing UPS to lock in a longer deal. Morgan Stanley analysts said the contract was "good for UPS" and "only slightly more inflationary than their contract that's to expire."

To move beyond the hype, TDU asked a panel of experts for analysis of the impact the UPS tentative agreement will have on working Teamsters and on the future of our union as a whole.

- ▶ Did we make UPS deliver what was needed?
- ▶ What will be the impact of the new contract language that was negotiated—and that was *not* negotiated?
- ▶ What does the settlement mean

for freight negotiations next year and Teamsters working under local contracts?

- ▶ Will the UPS agreement boost Teamster organizing and build our bargaining power?

Kate Bronfenbrenner, leading researcher on trends in union organizing in the U.S.



Tom Leedham, Secretary-Treasurer Teamsters Local 206 in Oregon.



TDU Panel of Experts

TDU gathered a range of opinions on these and other questions from bargaining experts, media analysts, and pro-labor academics, including:

Ron Carey, former Teamster General President and leader of the 1997 UPS strike

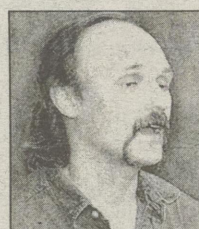


Teamsters who know what it's like to work under a contract, and the implications the UPS agreement can have for others.

The opinion that matters most is yours. TDU encourages all Teamsters to carefully review the agreement. Copies and additional analysis are available from TDU.

Check out www.tdu.org for a copy of the entire tentative agreement, contract bulletins, and other information.

Charley Richardson, expert analyst on technology and its impact on workers and their unions



The UPS contract will be settled soon, and freight is coming up. Freight Teamsters need to get informed, involved, and in touch with each other.

TDU provides Teamsters with the information and the national network we need. Join TDU to keep informed.

Gary Crittendon
Local 633, Yellow Freight
Manchester, New Hampshire



JOIN TDU

TDU MEMBERSHIP APPLICATION

Name _____ Local _____

Address _____

City _____ State _____ Zip _____

Phone (____) _____ Company _____

e-mail address _____

☐ City ☐ Road ☐ Dock ☐ Clerical ☐ Warehouse ☐ Construction ☐ Production

other _____

____ \$35 one-year membership & subscription to *Convoy Dispatch*.

____ \$85 three-year membership fee. (\$10 shall be rebated to the local chapter)

____ \$20 for spouses, and Teamsters who gross less than \$17,000 a year.

____ \$20 for retirees. Retired from Local _____

Check or money order

Mastercard/Visa # _____ Exp. date ____/____/____

Date _____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Mich. 48210

TDU membership is kept confidential. TDU solicits and accepts membership applications and donations *only* from Teamsters, retired Teamsters and spouses who are not employers. Only funds from Teamster members and their spouses can be used for campaign purposes.

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Letters From Our Members

Trusteeship Undermines Vegas Local Contracts

The recent conviction and expulsion from the IBT of two of Hoffa's top aides is just the beginning of repairing the destruction brought upon Local 631 by their imposed trusteeship.

On April 5, 2000, upon advice from his personal assistant Dane Passo, James P. Hoffa put Local 631 in Las Vegas under trusteeship. William Hogan, another assistant to Hoffa, and Passo had ambitions of their own for gaining control of 631. As elected Secretary-Treasurer I refused to enter into an illegal contract with a cleaning company to do convention work. William Hogan's brother was vice-president of that company.

The inferior contracts negotiated since the trusteeship have diminished the strength of our bargaining units. In every major contract negotiated, Jim Santangelo, another of Hoffa's overseers, met behind closed doors with management.

Ready Mix was the first to go with a loss of approximately \$3.50 an hour in wages and benefits. The pension trustees are now refusing to take pension contributions due to improper concessions at CSR Ready Mix. Members lost their overtime on Saturday unless they have worked 40 hours during the week.

After members at Republic Services, formerly Republic Silver State Disposal, ratified their contract a hundred-plus jobs were lost. Lower entry rates were established, allowing the company a better profit.

The most devastating contract negotiated by the IBT since the trusteeship was the Convention Contract. The new apprenticeship program displaces journeymen. Many have dropped from membership or have had to seek supplemental work. Health and welfare contributions dropped from \$3.72 per hour to \$2.17. Grievance language is virtually nonexistent, so stewards have been told there is no need to carry grievance forms. The hiring hall was closed to the convention industry. On large shows with large labor calls this allows the company to go to any source, including temp services, at far below union wages, to fill their call.

On April 3, 2002 a notice was issued by Hoffa to Local 631 members. It stated that an election is to be held this fall for the purpose of self governing. Hoffa also stated the reasons why an election could not be held sooner. As reported to him by his trustee at Local 631, Ed Burke, there are areas that continue to require his continued management and oversight.

These areas include the convention industry, where the local is still in the process of implementing significant changes to its dispatch procedures; Local 631's Health and Welfare Fund, which is facing funding problems; and the Ready Mix industry, where the local must organize additional nonunion ready mix employers if it is to avoid future contract concessions to union employers.

How ironic that the very problems the IBT created gives them reason to remain.

Tim Murphy
Local 631, Las Vegas

Part-timers Left Behind in UPS Agreement

Hoffa is touting the tentative UPS agreement as the "best contract ever," but the \$8.50 starting rate for part-timers is ridiculous. In six years that rate will be even more ridiculous.

I confronted one of my officials about this and he said that most new hires don't stay with the company beyond four months anyway, so UPS would be throwing away millions on people who don't want to hang around. Sounds like the negotiators bought the company line that most workers are just college students who need extra cash. Not true. Most of my co-workers are young adults working two jobs. And what about members who want to become drivers or combo workers? How long will they have to wait with substandard wages?

Turnover at many UPS facilities has been disastrous. At one point my building was busing people in from D.C. to work the preload. Management also asked local sorters and drivers to help out.

Turnover, fueled by low pay, affects us all. It gives supervisors an excuse to work and accounts for a sloppy job by loaders who lack experience. Then our drivers come in early, off the clock, to

fix their loads. It's about time we give the new hires bigger raises so more workers will apply and stay

This should be an organizing contract. How can we organize an apparently disposable work group? How can we organize FedEx workers when they're better off? And how can we justify receiving hundreds of dollars in initiation fees and union dues from new Teamsters when we didn't give them a fair piece of the pie?

I hope UPSers remember the saying "A strong union includes EVERYONE." This is why I, and many of my co-workers, will vote no when we receive our ballots.

Susin Gaon
Local 639, UPS
Dulles, Va.

Freight New-Hire Rates Need Fix

The following letter was sent to Freight Director Phil Young by William Brodeur.

Article 36 - New Entry (New Hire) Rates of the National Master Freight Agreement (NMFA) has been a concern of mine and I'm sure a lot of other brother and sister Teamsters. For those of us who have been Teamsters for many years it is very degrading to lose a union job for whatever reason and have to start all over at the bottom of the pay scale.

Other union crafts — plumbers, electricians, pipe fitters, masonry, and laborers to name a few — go through an apprenticeship program for three, four or five years and when they finish they remain at the top pay scale no matter who they work for.

I believe a program like the above mentioned could be set up for all freight Teamsters in the 2003 NMFA, or do away with Article 36 completely.

With 26-plus years as a Teamster, Article 36 should not affect me, or any other experienced Teamster.

William J. Brodeur
Local 170
Worcester, Mass.

How to Contact TDU

We want to hear from you. Contact us at the addresses below for more information about TDU, or to send us articles or letters.

National Office: P.O. Box 10128, Detroit, Mich., 48210. Phone: (313) 842-2600. Fax: (313) 842-0227.

TDU can be contacted by e-mail at: tdudetroit@tdu.org or on the World Wide Web at: www.tdu.org

NY Office: P.O. Box 170131, Brooklyn, N.Y. 11217 Phone: (718) 624-7746. Fax: (718) 875-9336. E-mail: tdu.east@verizon.net

Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in September 2001 for one year. Our Rank & File Convention had over 400 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed up by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

Highlights and Lowlights

Rundown on the Tentative UPS Contract

The union proposed over 180 changes to the national contract. Some gains were made. But concessions were made — something we should not expect. Some of the changes are mixed. And the offer fails to win improvements in many critical areas.

Here we provide an as objective as possible rundown on the strengths and weakness of the national master contract. A review of some major supplements can be found below.

Lowlights

- **Six-year agreement.** The length of this agreement locks us into contractual weaknesses for an unprecedented six years.
- **Wage gap widens between full and part time.** This proposed contract

would weaken our bargaining power for the future by widening the wage gap between full-timers and part-timers.

In 2008 UPS will still be hiring part-timers for \$8.50 per hour.

- **Fails to protect feeder jobs from UPS Logistics.** A Memorandum of Understanding states that the union makes no claim on the work of UPS subsidiaries that do not hire drivers and own trucks. That's UPS Logistics!
- **11-Year Pension Freeze in Central States.** The contract provides *no pension benefit increase* in the Central



The Wage Gap Widens

States Pension Fund, while some other UPS Teamsters will get major improvements.

- **Concession on progression.** It will now take 30 months to get to top rate when moving into package car. Why expand the wage gap?
- **Two-year freeze on the creation of full-time jobs.** A two-year break that will never be made up.

Highlights

- We won wage increases of 3.2 percent for the full-time wage rate, which should at least keep up with inflation (75¢-75¢-80¢-80¢-90¢-\$1). Existing part-timers get those raises plus 10¢-15¢-15¢-20¢-20¢-20¢.
- Health and welfare benefits will be maintained.
- Auditors and certain clerks and air gateways in a dozen cities will be brought into our union. Card check for organizing counter clerks.
- 10,000 combo jobs (but none till third year).
- Up to 20 time-off days per year can be banked and used the following year under certain circumstances.
- Long term disability for full-time employees for nonoccupational illness/injury (60 percent of base weekly pay for period up to five years).
- Medical coverage for part-time retirees.
- Full time jobs filled on six-to-one basis (used to be five -to-one).

What We Needed and Didn't Get

Under a six-year deal, these are especially important.

- Failed to eliminate or tighten up the "cardinal infractions" qualification for staying on the job when disciplined. Failed to change the "other offenses" language in the Central States.
- Did not win right to strike over deadlocked grievances or any improvements in grievance procedure.
- Did not win effective enforceable protection against excessive overtime. The new national language is actually *worse* than current practice in Central Region.
- Did not win additional time off. Did

not win Martin Luther King Day holiday.

- **FMLA:** Did not win language stating that time off under workers compensation or vacations could not be applied to FMLA time.
- Did not win increase in hourly guarantee for part-timers.
- **Safety and Health.** Most serious issues not dealt with.
- **Air Drivers, Hubs and Gateways.** (Article 40) This contract will not change the fact that the most profitable part of UPS's business will continue to have the least contract protections.
- No improvements to Premium Services.

Mixed Results

- **Cola Lite.** There is a "cost of living adjustment" but since inflation needs to exceed 3.5 percent (three percent plus a 5¢ trigger) it will likely pay zero. Even if inflation jumps to five percent, the formula will pay 17¢ per hour while a full-timer will lose \$1.25 in buying power.
- **Workers compensation.** Got wording saying that management can't threaten or retaliate against employees who file on-the-job injury reports. But no ban on management going to employee homes. Some wording limiting management's right to go with injured employees to the hospital but it is qualified — management can do it if they get employee's consent.
- **Supervisors working.** Penalties were increased — a good step. But other additions are watered down with vague language: "Employer will make every effort to properly staff the workplace," for example.
- **Monetary awards** based on panel decisions to be paid within 10 business days, but no penalty for violating it.

Supplements Summary

Atlantic

(Maryland, Carolinas, and West Virginia)

In the Atlantic, a number of changes were made. Language was taken out that let management fire the impartial arbitrator with no recourse for replacement. Also, bidding rights around Article 22.3 jobs were put in place. A small gain was made on vacation — three weeks vacation after nine years, not 10 as previously.

New England

Union negotiators here get the award for the least bargaining. They made a few token housekeeping changes. They extended the vacation period two weeks (into September), and management can hire temporary cover drivers in that period. No substantial changes.

Southern

Officials in the South handed UPS a hefty concession: part-timers will not get sick or personal days until they have worked three full calendar years. Much has been made of UPS wanting to do away with the clause that lets members use sick and personal days in a variety of ways. Now they will say they have stopped UPS on that front — and not mention the big gift they gave UPS.

The problem of cover drivers was not dealt with. This failure means that Teamsters will continue to work for years, day after day, and still not have a permanent position. Also, cover drivers will now bid for vacations as part of the package car roster, not based on their part-time classification. This will cut their chances of decent vacation picks.

Changes were made to bidding rights. Package car drivers can move into other inside classifications and feeder drivers (up to five percent yearly) can change their classification.

No progress was made on metro-wide transfer rights. Some other supplements

have this.

Western

The probationary period for part-timers is extended to 70 days, instead of 30 days. Now management can fire for any reason for a longer period. The big money concession in this is that the pension contribution is cut to 10 cents (from about \$3.50) for part-timers for the first 70 days worked. Because an estimated 20 percent of part-time workers have less than 70 days in, this concession gives something like \$20 million a year, forever, back to the company from the pension fund.

Full-timers can get up to 2,080 compensable hours in pension contributions per year, using overtime hours to make up for time lost in OJI or illness. This will enhance pension contributions for Teamsters who miss a considerable amount of work. This is supposed to be a trade-off for the concession given the company on pension contributions.

Transfer rights have been enhanced so employees can sign an annual list for a shot at transferring to another location in the West.

Upstate New York

Concessions were made in this supplement: people with less than nine months seniority give up holiday pay; new hires who quit lose pro-rata sick pay. Bidding periods go from 18 months to 24 months.

The concession on year-round driver helpers (at \$10-\$11 per hour) previously agreed to was stopped. But the company can now use two low-wage helpers per driver at "special events." The largest improvement is that retiree health care now has a \$350,000 lifetime max (\$700,000 family).

In this supplement there are part-time cover drivers who make 65 percent of union scale. This practice should be eliminated wherever it exists.



Overtime Still a Problem

UPS and Downs

Win on Holiday Pay in Rhode Island.

UPS Teamsters in Rhode Island are celebrating a grievance victory on holiday pay. In November 2001 UPS Labor Relations Manager Mark Nadeau got the idea that he could work members on President's Day and then not pay holiday pay as spelled out in the contract. Recently an arbitrator ruled that Nadeau's idea was a bad one. He ordered UPS to pony up the \$39,000 - \$40,000 owed some 600 Teamsters. On top of that he slapped UPS with a penalty of 25 percent of the payout. "This was a total victory," a Local 251 member told *Convoy*, "not a mixed one as is so often the case. It shows we can win resoundingly."

The Ups and Downs of the Tentative Agreement

What does it mean for our Teamsters Union?

Covering 230,000 Teamsters, the UPS agreement is by far the largest contract in our union, and one of the largest in North America. The impact will be felt far and wide.

UPS Teamsters are evaluating what it means for their wages, pensions, working conditions and job security.

Teamsters under other national agreements and local agreements are asking what the deal means for their contracts and future.

Members and leaders of other unions are debating what the impact will be on union organizing and other negotiations. Everyone from Main Street to Wall Street has an opinion.

On these two pages we present a round up of views and information. To join the debate, send your comments to the TDU office or email us at tdu@tdu.org.

Will the UPS settlement boost Teamster organizing?

Kate Bronfenbrenner

The high point in Teamster organizing was in the aftermath of the '97 strike. That didn't just effect the Teamsters. That contract victory gave a boost to organizing throughout the AFL-CIO. Part of the measure of this year's contract will be whether we see the same thing.

The 1997 strike was a very public fight that showed unions were focused on issues that resonate with American workers — issues like good jobs with good pay turning into part-time jobs with low pay and very bad working conditions. In contrast, this was a much less public campaign that primarily focused on economics.

The organizing research that I have conducted for over the last 15 years has consistently shown that focusing on wages alone does not win organizing campaigns, because employers can always throw a little more money at workers to make the campaign go away.

Where economics works is when wages are framed as a justice issue, such as part-timers working next to full-timers and not making comparable rates. Thus trying to promote this contract to nonunion workers will be more of a challenge because it focused more on wage increases than wage inequality.

Looking down the road, the challenge for the Teamsters is to shift more resources to organizing, recruit and train more member and staff organizers, and to



launch more aggressive and strategic organizing campaigns.

The Teamsters more than any other union have been focusing on very small units. The problem is that it takes just as many resources to bargain a contract for five workers as 5,000.

The Teamsters need to focus on organizing larger units that are a match for the kind of workers they already represent so that the new organizing strengthens the bargaining power of the existing membership and their existing bargaining leverage can be used to help them gain first contracts for newly organized units.

Kate Bronfenbrenner is the Director of Labor Education Research at Cornell and the leading pro-labor researcher on organizing trends in the U.S.

UPS Logistics is a major threat

John Raffiani

UPS Logistics teamed up with Ford to wring concessions and jobs out of Teamster car haulers. Now all of the new cars delivered out of Selkirk, New York move by a nonunion company and Teamsters with years of service are on the street.

Our union has got to bring UPS Logistics under control. I hoped the Interna-

tional would take steps in the UPS contract to do just that. It looks like they missed a big chance. UPS Teamsters and all Teamsters need to know that UPS Logistics is a major threat. And we need to organize to get the International to take action.

John Raffiani lost his job hauling cars for Allied in Albany Local 294.

Winning gains beyond dollars and cents

Ron Carey

It was no secret that, going into negotiations, UPS was prepared to offer sizeable wage increases to avoid a repeat of the 1997 strike. The critical question was what would our union achieve beyond economic issues to win protections for the future.

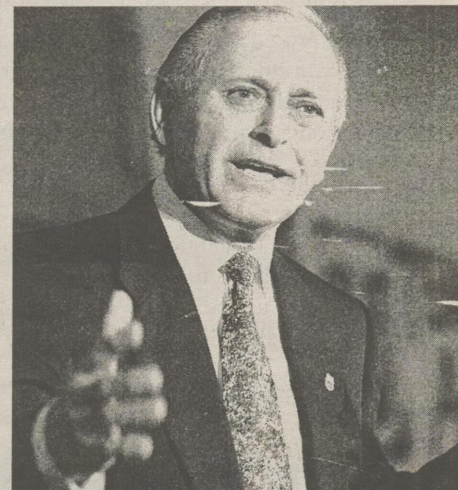
'Fighting for the future' wasn't just a slogan for us in 1997. It was our motivating principle. We looked down the road and said, we can't keep letting UPS lead Corporate America in turning good full-time jobs into part-time jobs.

We said 'Part-Time America Won't Work.' It sure doesn't work for part-timers. And it doesn't build power for full-timers when the majority of your co-workers are making about a third of full-time wages.

The union had the chance to build off the '97 victory at the bargaining table this year. Union contracts are not just about money. More important issues are at stake, like decent working conditions, rights, and job protections that provide security for Teamster members.

UPS has always thrown money on the table, in hopes of buying a ratification vote. In exchange, they're after concessions and secret side-letter agreements (not to be included in the contract), which jeopardize good jobs, and hard won conditions. We fought hard in 1997 against this kind of tactic, because we knew the value of contractual guarantees that protect members into the future.

Hoffa said he was going to make improvements in these areas. He said the big issues included pensions, unwanted overtime, closing the wage gap. But during the negotiations we entered this information



"black hole" and when we came out the other end we found out we hadn't won on any of those issues.

It looks to me like Hoffa took a shortcut. UPS had the checkbook out, trying to lure the members into accepting the contract. Hoffa settled for 75 or 80 cents and the 10,000 jobs won by the union in 1997. But he handed over a six-year contract to the company. Six years is too long to wait to negotiate the improvements and protections that were left on the bargaining table, too long for the side-letter concessions and for no pension increase in the Central States.

It's important to win gains that go beyond basic dollars and cents. It takes vision and determination. It requires constant communication with the members. And most importantly, it demands preparation and the ability to take on the tough fight.

Ron Carey is the former General President of the International Brotherhood of Teamsters and the leader of the victorious 1997 UPS strike.

Some good things; Important issues not addressed

John DePietro

I've been pouring over the agreement. There are some good things but we definitely dropped the ball on important issues.

Take stewards' rights. There were good proposals but we didn't add new rights here. Back when the International had a contract conference call they were saying how the stewards are the ones who get the job done, that we were needed and important.

But all they got on steward rights was the sentence saying UPS can't discipline stewards for doing their jobs — and that's already against the law under the National Labor Relations Act.

The six year contract will put everyone to sleep, sapping our power. There is momentum now. People remember the strike. That could be lost in six years.

The raises are okay but not spectacular. And aren't part-timers back tracking a dime? Last summer the final raise of the last agreement was 95 cents. If this contract is ratified we will get 85 cents.

But the worst thing is no full-time jobs for the first two years. We will lose full-time job opportunities. And we will be standing still when the whole idea is to move forward.

John DePietro is a part-time UPS worker and steward in Syracuse, N.Y., Local 317.

Media, Experts Analyze UPS Agreement**The Whole World is Watching**

Economic analysts and labor experts kept a close watch on UPS contract talks. Here's a round-up of their views in the wake of the tentative agreement.

New York Times**UPS Did Not Want a Strike**

With a strike threatened for August 1, the International Brotherhood of Teamsters capitalized on the company's eagerness to avoid a replay of the walkout in 1997 that stopped business for three weeks and caused United Parcel to lose \$750 million and many longtime customers ...

UPS did not want a strike, and that gave the Teamsters a lot of leverage. In many negotiations, the issue has been the survival of the union or the extent of the cuts. But here a big company that's very competitive was willing to pay rather than have its future damaged. ...

James J. Valentine, a transportation analyst with Morgan Stanley, said the contract was good for UPS.

"When you factor in all of the elements of the contract," Mr. Valentine said, "it will only be slightly more inflationary than their contract that's to expire. (July 17, 2002)

Journal of Commerce**UPS Still 'Competitive' with New Pact**

... The settlement will result in about 4% annual increase in labor costs for UPS. "I don't think anyone can describe that as unreasonable or as something we can't afford," [UPS spokesman Norman] Black said.

Greg Burns an analyst with J.P. Morgan, said the terms of the contract seem consistent with prior agreements, while allowing UPS to lock in a longer deal. (July 18, 2002)

Business Week**UPS Doesn't Deliver for Part-Timers**

Its new six-year deal with the Teamsters shows that, in a stumbling economy, employers again have the upper hand

UPS's heavy reliance on part-timers, who make up 57 percent of its 230,000 Teamsters, had been a key flash point in talks over a new labor pact. Five years ago, in a booming economy, the Teamsters pummeled UPS in a costly 15-day strike that garnered strong public support over the issue of giving part-timers a shot at full-time work. A chastened UPS agreed to create 10,000 full-time jobs over the life of the five-year pact that's now expiring. In this latest round of negotiations, the union wanted management to up the ante to 15,000 jobs.

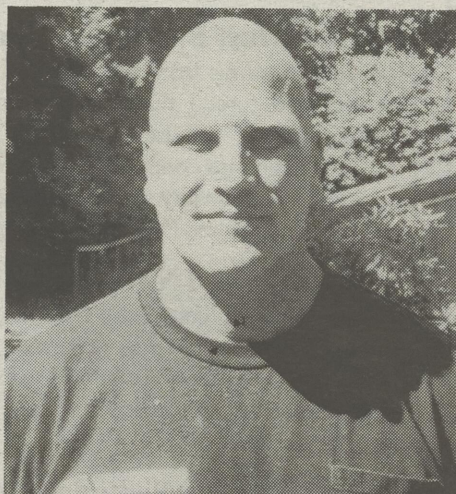
It wasn't to be. ... In the end, the union and UPS agreed to another 10,000 full-time jobs—this time over six years instead of five. (July 17, 2002)

We had the power, but agreement falls far short**Dan Scott**

We went into this contract with a lot of power and high expectations.

We had the power we achieved in the 1997 strike victory behind us; management did not want a showdown. We had General President Hoffa promising the best contract ever; he said we would win real limits on mandatory overtime, equity for part-timers, stop supervisors working and protect our future. We had a CEO who just got a 15 percent raise. We saw management offer 10 percent a year in a three-year contract to the UPS aircraft mechanics (who turned it down). And we had a special convention to raise our dues with a promise to use that money as a hammer to bring in the best possible contract.

Instead we got an early settlement which management seems very happy with. They have posters calling for a yes vote in the buildings here. And we got a



six-year deal, which puts it past the 100 year anniversary.

The contract has some money in it, but it falls far short of what we could have gotten with all we had going for us.

Dan Scott is a package car driver and a trustee of Seattle Local 174.

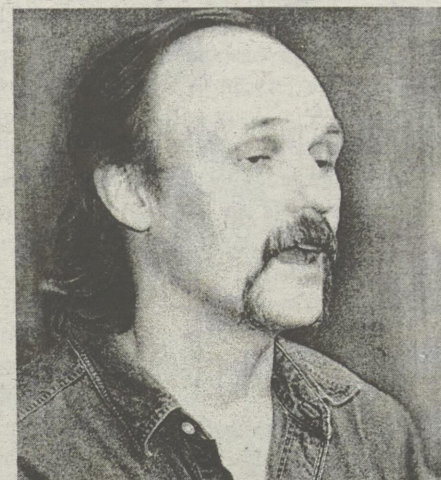
Are we ready to take on the future of technology at UPS?**Charley Richardson**

UPS is aggressively figuring out how to use technology to simplify, de-skill and control the work process and to cut the number of workers needed. Automated sorting, radio id tags, optical character readers, GPS, new generations of DIAD's. These and other advanced technologies, along with the computer and communications systems that work in the background, are all key parts of UPS's plans. That makes them key challenges for the Teamsters going into the future.

The new contract contains minor revisions of technology language that was negotiated into the last contract — language that could be part of an overall strategy for dealing with UPS's plans to use technology to their advantage.

The real question is whether the union is prepared to commit the resources and formulate the strategies needed to make this language work for the members and the union. By itself, the language will do nothing to improve the union's ability to stay on top of and bargain over changes in technology.

The union must develop a program to monitor and evaluate technology and educate and mobilize members around the



impact that technology is having on their rights and jobs. Then the technology language can provide information, protections and a forum for dealing with the company about this critical set of issues.

Charley Richardson is the Director of the Labor Extension Program at the University of Massachusetts Lowell and an analyst on the impact of technology on workers and their unions.

Check out the proposed agreement at www.tdu.org.

Sizing up our goals and results**Tom Leedham**

In every contract negotiations, you ask yourself: Did we win what we need? Did we build the power of the union in the process?

Certainly, UPS realized from the beginning that the UPS Teamsters who displayed solidarity and strength during the '97 strike weren't going to be pushovers. That strike victory is still paying dividends.

UPS put enough money on the table to satisfy many members, but probably not those living in high cost areas. While the increases may be enough to get the contract ratified, three percent in annual wage increases is moderate, especially for an extremely profitable company like UPS.

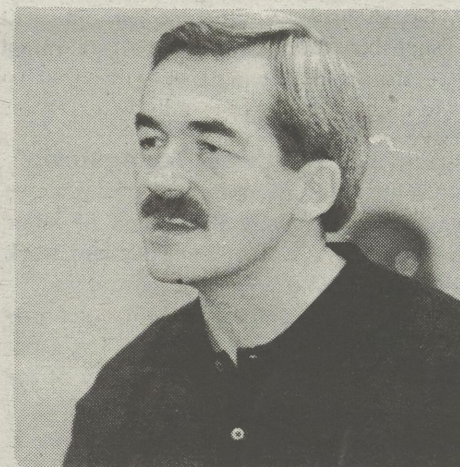
The Western pension contributions are substantial while members in the Central and other areas are upset over pension benefit freezes.

We made gains in other areas like securing another 10,000 full-time jobs, in the second half of the contract, and organizing new members into the union.

Despite these new jobs, we came up short of the goals set by our International.

The Hoffa administration said our goal was to make half the jobs at UPS full-time by the end of the contract. But at the end of this contract, over 60 percent of the jobs under our best master agreement are going to be part-time, low wage jobs.

The Hoffa administration said we were going to fight for real protections against excessive forced overtime. Most Teamsters will not see real change regarding forced overtime during the life of this



agreement.

Could we have won on these and other issues? Most experienced negotiators would not expect a company's best offer three weeks prior to expiration. I remember UPS's "Last, Best and Final" offer in 1997. There was more to be won—and we won it.

Did we build union power? Ask Teamsters at UPS. Did UPS Teamsters feel informed or in the dark? Were they mobilized or spectators?

Certainly, no one knows this company better than the Teamsters who work there. The expected vote "yes" campaign by the IBT and the unexpected one recently launched by the company, underestimate Teamster members. They don't need an expensive sales campaign to tell them whether or not it's a good agreement, it either addressed their critical needs or it didn't.

Tom Leedham is the principal officer of Oregon Local 206.

Pension Freeze in Central States Fund?

What Does the UPS Contract Mean for Freight?

Tim Lynch, President of the Motor Freight Carriers Association, which represents the carriers in NMFA bargaining, says the UPS contract will not mean much for freight: "We've been in the on-deck circle and are ready to step up to the plate. We do see it as an apples and oranges situation ... [the freight industry] 'has significant differences' from UPS."

Other trucking industry experts disagree. Jim Valentine, trucking analyst for Morgan Stanley, stated that "It's a given that the contract is not wildly different. There are different needs and wants. But I would say the LTL Teamster employees are clearly going to look to the UPS contract as a starting point. Anything less than that and you're going to have to recalibrate expectations now."

The UPS settlement is going to impact freight bargaining, but a united force of

freight Teamsters can have even more impact. Here are some issues for freight Teamsters to think about.

Freight Teamsters in the Central States Pension Fund have to fight now for increased pensions. Top Teamster officials made a side-deal (Memorandum of Understanding) with UPS to refuse to increase pension benefits paid from the Central States Fund to bring about an over-funded status. Teamster officials need to hear loud and clear from freight, UPS, and all Teamsters united that this is unacceptable. There has been no benefit increase since the 1997-1998 contract round, and now they have a six-year deal with UPS with perhaps no increase until 2008.

There is going to be more money flowing into the fund, and benefits cannot be frozen for 11 years. We also want

the recent retiree health and welfare payment increase rescinded.

We understand why UPS and other employers want the fund over-funded. They can then pull out of the fund without any withdrawal liability penalty. But our union officials have no business going along with this employer program.

We need to say clearly "No Two Tier Deals." The UPS settlement has pretty good monetary increases for current full-time drivers: 3.2% a year over six years (75¢-75¢-80¢-80¢-90¢-\$1). But this is at the cost of all the two-tier and three-tier aspects of the contract.

Air drivers still make \$5.50 an hour under scale. The progression period is lengthened. And, worst of all, UPS will still be hiring their inside (dock) workers at \$8.50 an hour, with only a 3.5 hour guarantee, six years from now! Those part-timers are the majority of UPS Teamsters. Two-tier deals are an employer's dream and weaken our union.

One aspect of the UPS agreement we should copy: there is no "bonus" instead of a wage increase.

We need to reject a six-year deal, and get back to three year contracts. This locks us into problems without solutions for longer and longer periods.

We need our H&W fully protected, and coverage extended to retirees. The

UPS contract allocates 25¢/hour more each year to health and welfare, and the freight rate will follow this pattern. We also need to provide health coverage to our retirees at no or low cost. What good is early retirement with no reasonable medical costs.

We need a contract that deals with freight issues. We have a lot of non-economic issues to deal with that can improve our working lives and give us more time with our families. We need to discuss and prioritize those issues. The UPS contract should not be our guideline here. We need to deal with our own conditions.

We need a contract that helps us organize. We need new protections against subcontracting out jobs, double breasting (nonunion divisions) and more. The UPS contract has some protections, but we are going to need more, tailored to freight. And we need a contract that can help us sell our union to drivers at Overnite, FedEx Freight, and other nonunion carriers. We need to protect our future.

The UPS contract shows us what we need to maintain our health benefits, and in the Central States Fund, shows us we are going to have to fight now to win pension increases.

At the same time we need to look at our own industry and win the best possible contract to protect us for the future.

Freight Teamsters Speak on What We Need in Our Contract

Convoy Dispatch has been talking with many freight Teamsters in preparation for upcoming freight negotiations. Below are initial comments from a few freight Teamsters regarding what we need in the NMFA and in the various regional supplements.

Send us your thoughts on our next freight contract, and on how we might work together to win gains.

Mike Schaffer

Local 377, Roadway, Youngstown

With the current freight contract, we gave the employers five years of labor peace, so now we've got some hard work ahead of us. We need to hear from you!

Find your contract book or get one from your local and get busy. Let's put together a set of proposals worthy of the bargaining table. We've got less than eight months to get organized. The time is now for preparing for proposal meetings this fall.

Every one of us has to get active. Drivers have the best advantage — mobility. Think of all the Teamsters we see in one tour of duty — dock, switchers, and city and road drivers on other docks and lunchrooms. And let's get our CB radios humming with talk of the 2003 contract. Make use of the valuable information in Convoy. Get a bundle and distribute it.

Here are a few proposals I've been thinking about and I plan on putting out more in future issues.

No Bonus! Do you know how much that \$750 cost you over this last contract?

No Co-Pay on Medical! Yellow is already promoting this in their newsletter.

A Three-Year Contract! They won't project health and welfare costs beyond three years, so what do these long contracts do for us? Also, it doesn't look like we'll see any pension increases soon, so matching UPS isn't a factor.



WE WANT TO HEAR FROM YOU!

What do you consider the most important changes needed in the upcoming freight contract?

Let us know, by mail at P.O. Box 10128, Detroit, MI 48210, phone at 313-842-2600 or e-mail at tdudetroit@tdu.org.

Andrew Fick

Local 390, Yellow Freight, Miami

If the contract is longer than three years, add a cost of living clause which increases wages and benefits indexed to the rate of inflation.

Increase the pension benefits to provide 25-and-out at any age at \$2,500, and with full medical coverage. Work toward a cost of living clause in pensions. No freeze on pensions.

Increase the life insurance benefit to \$100,000. Add a long-term care policy for member and spouse.

Larry MacDonald, Steward

Local 728, Yellow, Atlanta

In 1998 we had 58 mechanics, now we have 46 at our terminal. With the thirtieth anniversary of our garage supplement many more will be retiring. The amount of farm-out work keeps going on and we keep shrinking. There are high hopes that our Southern Conference Garage Supplement negotiations in the 2003 contract can solve this problem of farming out our work.

Freight Lines

Yellow CEO Sees No UPS Match with Freight Contract.

"The rich package that UPS profits allow is affordable for UPS. We have a very different situation in our industry," was how Bill Zollars, CEO & President of Yellow Corp., commented on the tentative agreement. He stated the Teamsters "look at the fragility of our industry and the differences in the profit margins. It's obvious we don't have the same type of profitability to share. To a large extent, they know that." He praised President Hoffa for having a "much better perspective on business and is more sensitive to customers than any of the predecessors I've known at the Teamsters union." Other freight officials predict initial negotiations may start around Thanksgiving. Zollars hopes for a contract in advance of the March 31, 2003 expiration.

Overnite Must Bargain at Four More Terminals.

A July 1 ruling from the Fourth U.S. Circuit Court rejected an appeal from Overnite and forced the company to begin bargaining with the Teamsters in Detroit, Buffalo, and Lexington and Bowling Green, Ky. This means Overnite must now negotiate contracts at 26 terminals out of its entire 166-terminal system. Teamsters welcome any small victory against this union buster, but unfortunately the campaign to organize Overnite is stalled.

Pontiac, Mich., TNT Holland Teamsters Say No to Lumpers

It turns out Holland wasn't paying lumpers to unload freight at their Pontiac terminal, as we previously reported. Outside drivers, or their companies, were responsible for footing the bill. However, lumpers were moving the freight to the end of the trailer and Teamsters made sure it took as long as possible to make its way onto the dock.

Yellow Spins Off Nonunion Competitor.

SCS Transportation plans to separate from Yellow Transportation. According to Bert Trucksess, president and CEO, this is necessary because the two divisions were competing with each other in the two- and three-day shipping markets. Bob Jacobi, executive director of the Labor-Management Council of Greater Kansas City, said the split would be helpful in future labor negotiations. Teamsters can read between the lines.

Union Reform Wins Better Contracts

Local 556 Teamsters Win Record Wage Increases at ConAgra/Lamb Weston

In a David vs. Goliath victory, 150 Teamsters have won their best contract in decades at the Weston, Ore., plant of Lamb Weston — a subsidiary of the food processing giant ConAgra that employs more than 10,000 Teamsters nationwide and brings in \$27 billion in annual sales.

The victory followed on the heels of an eleventh hour turnaround by the company which improved its "final" offer after shop floor demonstrations by angry workers made management fearful that the contract would be rejected.

The victory is all the more dramatic because until recently there was little to no history of union fightback at the plant.

For years, the food processing giant had its way with the former go-along, get-along officials of Teamsters Local 556. The result was a workforce that was overworked, underpaid, under-respected and alienated from their union.

But on Friday, June 26 workers ended a four-month contract campaign by voting 123 to 12 to approve a new three-year contract with 11 percent in wage increases and important improvements in contract language.

How did this turnaround happen?

The Dark Hour Before the Dawn

It's 1:00 a.m. and the rank-and-file negotiating committee of ConAgra/Lamb Weston Teamsters is exhausted. After a marathon 15-hour negotiating session and four months of member mobilization, management has finally given ground at the bargaining table.

The company has upped its wage offer to increases of 3 percent, 3 percent and 4 percent over three years — the best economic package ever at the Weston plant. But the committee still isn't satisfied.

They want more money, and they are furious at proposed contract language that would give the company the right to veto "objectionable" postings on the union bulletin board.

But management says this is its final offer. The negotiating committee members leave the room disappointed, angry and nervous that the company's offer might be approved by co-workers. After all, it's not easy to take on a multinational giant. And workers at the plant have never rejected a final contract offer before.

As they leave the conference room, the rank-and-file negotiating committee gives the news to their co-workers on the night shift. The anger spreads.

At the end of the shift change, a group of workers demand a meeting with the manager on-duty and they give him hell about the contract offer.

Workers on the next shift also demand meetings with management.

Hand-made flyers appear spontaneously around the plant denouncing the company's offer.

Negotiating committee member Sandra Stewart calls her union representative at the local. "It's beautiful," she says. "The members finally realize that they are the union."

The Company Ups its Offer

Fearing that workers will vote to reject the contract, the company increases its wage offer and agrees to drop its demand to have veto power over the contents of the union bulletin board.

The improved contract offer, approved the following day by 91 percent, also includes important language improvements, including guaranteed days of rest. Last October, the company made 24 people work 28 days in a row.

Workers also won language saying that the company agrees that "mutual respect and individual dignity will be recognized in the workplace." Workers wanted this language as a contract article. Instead, management agreed to print the language on the inside cover — an important step at a company where workers cited supervisory harassment as their number one concern going into the negotiations.

Union Reform Wins Better Contracts

The contract victory is the product of local union reform. The contract is the first negotiated by reformers who were elected to lead the local in 2000. Together with ConAgra/Lamb Weston workers, they organized the first rank-and-file contract campaign that included:

Information: Unlike in past negotiations, members were kept informed about what was happening at the bargaining table through regular contract bulletins.

Mobilization: Workers took actions at the plant to build unity and demonstrate it to the company. For example, to back the demand for dignity and respect language, workers all put orange "Respect!" signs in their car windows. The negotiating committee brought a giant poster board petition signed by all the workers to the negotiating table, and the same day workers presented copies of the petitions to the supervisors.

Community Support: Unions, community organizations and religious groups sent letters of support to ConAgra/Lamb Weston. When management refused to move at the table, more than 300 Local 556 members and community supporters held a rally. The local media covered the rally and drew attention to the ConAgra/Lamb Weston workers' fight to improve jobs in the community.

The combination of member mobilization and community resulted in a victory. Now the challenge is to enforce the new contract and continue building the power of the new Local 556.



José Tapia and his family join the rally for respect and better wages.

Time to Back Up Words with Actions

Teamster Action Needed on Immigration Reform

Maria Martinez

TDU Co-Chair

Secretary Treasurer, Local 556
Walla Walla, Wash.

Convention delegates from every Teamster local unanimously adopted a resolution last year in favor of "reforming current immigration laws that empower anti-worker employers while disenfranchising immigrant workers."

The convention resolution specifically supported legislation that would enable undocumented workers living and working in the United States to legalize their immigration status.

This legal reform — called "legalization" by some and "amnesty" by others — would not just benefit immigrants. It would protect the rights of all workers by curbing the ability of companies to lower wages, violate workers' rights, and block union organizing drives by intimidating undocumented workers who are fearful because of their immigration status.

Our country's immigration laws undermine the rights of tens of thousands of Teamster members who are either undocumented themselves or who work in workplaces with large numbers of undocumented workers.

I was proud of the stand we took as a convention and as a union. But now it's time to back up our words with action.

A national campaign called "One Million Voices for Legalization" has been launched by a coalition of unions, immigrants rights groups, and religious and community organizations. The goal of the campaign is to collect one million postcards in favor of immigration reform and

send them to President Bush and Congress by this fall.

Local 556 has endorsed this campaign. Our local of 2,000 members has set a goal of 3,000 postcards. We are collecting signed postcards from our members and workers in the community.

The campaign gives us a chance to stand up for the rights of Teamster members and to show nonunion workers that the Teamsters is a union that fights for workers' rights. We think that will help us organize new members in the future.

So far, the International Union has taken no action to back the One Million Voices for Legalization Campaign, which is endorsed by the AFL-CIO. Why?

It's not enough for us to pass good resolutions at our conventions. We need to put teeth into those resolutions by mobilizing our members to get involved in the political process.

America agrees with us on this one. In a recent bipartisan, nation-wide survey 59 percent of voters said that they supported immigration reform that would legalize undocumented immigrants who can prove they have been living in the United States, working at a job, and paying taxes. Only 34 percent opposed the measure.

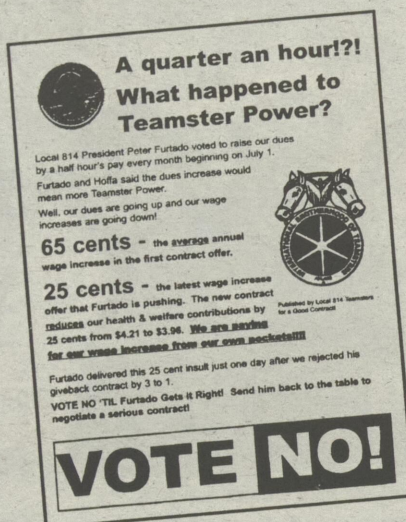
It's time for us to listen to our convention resolution and to our fellow Americans. It's time for us to take action to support immigration reform that will strengthen our ability to fight for all workers' rights.

I urge our International Union and every Teamster local to get involved in the One Million Voices for Legalization Campaign. The rights you save just might be your own.

Rank-and-File Campaign Defeats Many Concessions

New York City Movers Strike Against Concessions

After rejecting two concessionary contract offers, over 500 members of New York Local 814 hit the streets on June 20. Their strike crippled the commercial moving industry and forced their employers back to the bargaining table within 36 hours.



With the industry shut down, employers dumped many of their demands for concessions. They agreed to a three-year agreement, not the five years they'd originally proposed. They offered \$1 an hour more in wage increases over the life of the contract and 30 cents more in annuity. And they gave up on demands for wage cuts and additional tiers of lower-paid employees.

Local 814 President Peter Furtado twice recommended that members ratify standard agreements that included these concessions and more. With help from TDU, angry members formed "814 Teamsters for a Strong Contract" to organize to reject the givebacks.

As a result of this grassroots rebellion, members defeated many, though not all, of management's concessionary demands.

In a statement released after the strike, Teamsters for a Strong Contract said: "Make no mistake about who won these gains: it was the rank-and-file members of Teamster Local 814. We won because we

voted down two concessionary offers. Our union leaders tried to convince us to accept the givebacks — not once, but twice. We won because members waged an effective strike with organized ambulatory picketing. Our union leaders spent most of the strike on the sidelines."

Snatching Givebacks from the Jaws of Victory

With the industry shut down and employers desperate for an agreement, President Furtado *still* found a way to give management concessions.

He agreed to increase the number of hours that casuals have to work in a year to move up to achieve "industry employee status" by 33 percent to 800 hours per year. Casuals will receive no wage increase for the life of the contract. Even casuals who work 800 hours per year will not get the industry employee wages until they have worked 800 hours for three consecutive years!

Furtado agreed to new contract language that allows supervisors to do bargaining unit work.

He also agreed to employee drug testing and background checks. Employers can demand background checks at any time — not just at the time of hire.

It was givebacks like these, along with economic concessions, that led members to reject two previous settlements recommended by Furtado.

Members voted 236 to 79 to reject the first settlement on May 29 after a "Vote No" campaign by the newly formed Teamsters for a Strong Contract.

Furtado failed to get the message. The very next day, he brought back another tentative settlement that was even worse.

Even more disgusted, Teamsters for a Strong Contract launched another Vote No campaign and rejected the concessions by 198 to 91. By midnight, the strike was on.

Members Organize Winning Strike

Most Local 814 members had wanted

to avoid a strike. But once the fight was on, they took it to the employers — with little assistance and zero advance preparation by Local 814 officials.

Members organized ambulatory picketers who traveled to job sites where moves were scheduled, including the Museum of Modern Art and the financial district. They set up picket lines, talked to building managers, and got the building trades and other union workers to honor their picket lines.

Scabs and nonunion operators were sent packing by building managers who said that all moves would be suspended until the strike was settled.

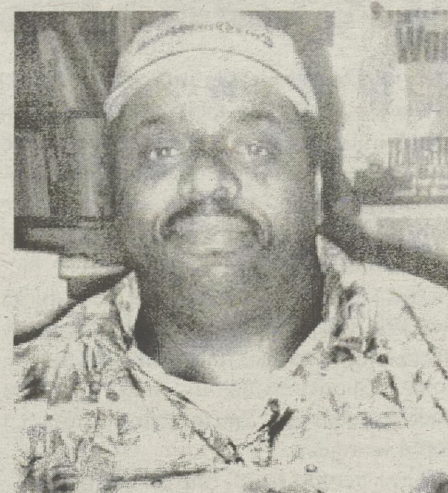
"Our bosses seriously underestimated us," said one Local 814 Teamster. "I think we even underestimated ourselves."

Members to Continue Push for Stronger Union

On July 11, members approved their new contract by a vote of 270 to 73. The fight for a stronger union continues.

As Teamsters for a Strong Contract said in their post-strike leaflet: "This strike showed that our union's rank-and-file members have more power than we think when we put our minds to it. But it also showed that our local leadership is not up to the task of tapping that power and standing up to the employers."

"If Local 814 members are going to win better contracts and enforce our rights on the job, we need changes to strengthen our union," Teamsters for a Strong Contract said.



I'm looking forward to attending my first TDU Convention this year. TDU helped us get organized during our contract negotiations and get information out to the members. That's the only reason we beat back the concessions that we did. It was good to see some union action for a change.

I'm hungry to learn more. We have a local election coming up next year. I want to learn about the election process and the best strategies to use to run a good campaign.

I'm interested in the whole reform movement and want to experience it first hand. And that's why I'll be at the TDU Convention in November.

Walter Taylor
Local 814, commercial mover
New York City.

Murphy Replaced as IBT Organizing Director

Former SEIU Organizer Jeff Farmer Appointed

James Hoffa removed another top official in mid-July when he replaced Organizing Director John Murphy with Jeff Farmer. Murphy has been given the title of Assistant for Special Projects.

Murphy is known for his statement that the IBT organizing department should be "a desk and a telephone," and as the leader of the disastrous Overnite strike that has virtually ended our Teamster organizing drive at that crucial target.

Farmer worked for many years as an organizer for the Service Employees International Union (SEIU), though not in such a top leadership position. He is the

brother-in-law of Sue Mauren, a Hoffa appointee and the secretary-treasurer of Local 320 in Minnesota. He was hired by Teamster General Secretary Treasurer Tom Keegel in Minnesota prior to this new appointment.

The Organizing Department intends to hold a conference in September regarding future plans. The recent dues hike has a provision to allocate 10 percent of the income of the International Union to organizing. The International union will presumably reveal at the conference how they intend to use that money to launch a new organizing program.

TDU News Available in Spanish

The new issue of TDU's bilingual newspaper Adelante! is now available. Featured stories include:

- ▶ Workers win best sanitation contract in Southern California
- ▶ What you can do to win treatment with respect
- ▶ Grocery contract fights in New Jersey and Southern California
- ▶ Campaign launched for immigration reform to protect workers' rights
- ▶ Teamster leaders raise union dues
- ▶ And more!

Order copies from TDU in New York at 718-624-7746. Remember, information is power.



New Jersey Warehouse News:

White Rose Grocery Workers Unite for Equal Pay and a Strong Contract

For years, Local 97 members at White Rose grocery have had the weakest contract of any Teamsters who work at one of White Rose's three New Jersey warehouses.

With contract negotiations underway, workers are uniting to change that. Their goal is to win pay that is equal to what workers earn at White Rose's dairy and frozen food warehouses.

Warehouse selectors at White Rose Frozen Food who belong to Local 805 earn \$11 an hour as soon as they become members of Local 805. Local 97 members start

All White Rose Teamsters have a stake in the outcome of the contract negotiations at the grocery warehouse.

at \$9 an hour.

In Local 863, White Rose Dairy workers with five years seniority or more make \$16.80 an hour. That figure will go up to \$17.40 this fall. In contrast, the highest paid Local 97 members make just \$14.50 after more than ten years of service!

"I have worked for this company for almost 12 years and I'm making just \$13.75 an hour," said chief shop steward Luis Rodriguez. "There is no reason that we should be paid less than other Teamsters who work at White Rose."

"Our goal is to win a contract that combines the best of the Local 805 contract

with the best of the Local 863 contract," said Marcel Rosario.

At a recent TDU meeting organized by Local 97 members, workers set the following contract goals:

Higher starting rate: Workers set a goal of a starting rate that is superior to the \$11 rate that White Rose started paying to Local 805 members three years ago.

Top rate equal to White Rose Dairy: Local 863 members will earn a top rate of \$18.60 when their contract expires in November 2005. Local 97 members want the same.

A fair wage scale: Local 97 members want to establish a progression like Local 805 and 863 members have which guarantees workers a raise each year and puts all workers at the top rate after five years of service.

Three-year contract: Local 97 members want a three-year contract so that their contract will expire at the same time as Local 863's contract in November 2005. That way workers from the two warehouses can join forces in the next contract negotiations.

All White Rose Teamsters have a stake in the outcome of the negotiations. If management is able to negotiate another weak agreement at the grocery warehouse, it will be more difficult for Teamsters at the dairy and frozen food warehouses to win good contracts in their next negotiations.



White Rose Grocery workers celebrate outside a TDU meeting they organized to discuss strategies for winning equal pay and a fair contract.

"The company is going to tell them, why should we pay you guys more when we're paying the grocery warehouse workers nothing?" said shop steward Enrique Vigo. "We're asking Local 863 and 805 members to support us because if we can win better pay it will make it easier for them to win better pay in their contract negotiations."

Workers are also asking their local officials to support their proposals.

To achieve their contract goals, work-

ers have formed a contract unity committee. The committee is responsible for building unity around the workers' principal demands and keeping members informed about what is happening in contract talks.

The committee is producing and distributing contract bulletins and organizing other actions to unite Local 97 members.

They are also making plans to reach out to workers at the White Rose Dairy and Frozen Food warehouses.

Leaders, Members File Suit Against Hoffa to End Trusteeship in Local 2000

On July 25 all seven members of the Local 2000 Executive Board, along with other members, filed suit in federal court against the trusteeship imposed by Teamster President James Hoffa on July 1.

The suit alleges that Hoffa imposed the trusteeship to squelch free speech rights and to suppress membership dissent. Local

2000, which represents 11,000 Northwest Airlines Flight Attendants as well as those at Sun Country, voted by 89 percent against Hoffa and for the Tom Leedham slate in the IBT election last fall.

Hoffa's stated reason for the trusteeship was to fight a raid on Local 2000

launched by some disgruntled members, who formed the Professional Flight Attendants Association (PFAA). Hoffa claimed that the elected officers were not vigorously fighting the raid or following his plans

for doing so. However, the heavy-handed move to seize the local from its elected leaders only further alienates the members. Local 2000 has a democratic structure and culture, and Flight Attendants have frequently clashed with Hoffa's attacks on democratic rights.

When Local 2000 leaders led a highly successful campaign to win a good contract in 1999, Hoffa interceded and forced a vote on a substandard contract offer. When the members rejected Hoffa's deal by 69 percent, he ordered that the members' mobilization campaign be ended. Hoffa has also assigned a "personal representative" who has not helped the local union but tried to harass its leaders and members.

When the PFAA was formed, the Local 2000 officers, led by President Danny Campbell, sought to meet with Hoffa to discuss what steps the Teamsters could take to improve relations with the members and to convince Flight Attendants to stick with Local 2000.

Hoffa instead sent the leaders threatening letters, claiming that they — the elected officers — were merely his "agents" for carrying out his orders. So much for local autonomy.

Had Hoffa cooperated with the officers, the PFAA raid could have been laid to rest. TDU, various Flight Attendants, and even some in the Hoffa administration urged this course. Instead, Hoffa used more bully tactics.

Bully tactics against such a large group of Teamsters, the vast majority of them women, will not position our union to grow in the 21st century. The needs of our members and our union should come before the political agenda of certain officials.

The trusteeship should be ended. The elected officers should be restored to office. A positive program of reform to unite all 11,000 members to stay in Teamster Local 2000 should be put in place.

The members' lawsuit, filed by attorney Barbara Harvey, is a positive step to achieve these goals.



Local 2000 Flight Attendants organized for a good contract in 1999. Hoffa later ordered that their campaign be dismantled.

TDU Fact Sheet

The Grievance Meeting: How to Present a Grievance to Management

The first stages of filing a grievance can be the most important, no matter what kind of grievance procedure your contract contains. This is the point at which information is gathered and arguments are tested. It is the time when membership involvement and pressure can make the most difference. And this is also the point at which mistakes can be avoided.

This fact sheet discusses how to present your grievance to management. The timing and kind of meeting you have will depend on your contract. This will also likely govern who in management you will be dealing with. But the skills used around presenting grievances are universal.

While geared to stewards, this fact sheet should also be useful for any member who has to meet with management over a grievance.

Preparation checklist

You will want to have your ducks in a row well before you go into the office with management. Here are some of the things to consider:

- ☐ Have you documented your case? You may do this yourself or involve the steward, other members or the business agent, depending on the grievance.
- ☐ Have you made an evidence list, including names of witnesses?
- ☐ Have you gotten statements in writing

from witnesses?

- ☐ Have you or the union made a formal information request, in writing?
- ☐ Have you gotten management's side of the story? What are some of their arguments? What evidence do they have?
- ☐ What are the weak points, if any, in your case. Don't wait for management to point them out. Be prepared.

Roadmap for Presenting A Case

Review the issues, facts and arguments you think will be most helpful to your case.

- **Problems.** What are the main problems that the grievance is trying to address? In what order will you present these problems?
- **Facts.** Who are your witnesses? What documents do you have? Are there pictures or diagrams that would be helpful?
- **Chronology.** Write out the dates of events, in order, and of documents that relate to the case.
- **Arguments.** Write them out. Put them in the order you will want to present them.
- **Remedies.** Discuss and be prepared

to respond to remedies that will solve the grievance.

Common problems and surprises

- **Changing stories.** A witness tells the story as you have heard it — then adds something or tells another part of the story that you have never heard. What can you do? Call for a caucus. The time out will give you a chance to regroup.
- **Agreeing with management on certain points** — or suddenly accepting an inferior offer to settle the grievance. *Stay away from agreeing to anything management says*, unless you have caucused and decided what kind of settlement would be acceptable.
- **The steward or union representative will not stand up to management.** In the short-term, ask for a caucus and take them on the side to discuss the problem. Over the long term, you may need to organize to replace ineffective representatives.
- **Management presents new evidence or claims to have evidence but won't present it.** This is why information requests are so important — we don't want surprises.

Tips for grievance meetings Set Groundrules.

Union groundrules: A good steward or business agent should agree to some ground rules. A common one is: never contradict what another union person says or agree to a management proposal without stopping for a caucus (a private meeting among just the union people).

Groundrules for the meeting: the union has the right to bargain over how the meeting is conducted, where it takes place and other details. This is important if management is trying to gang up on a member or otherwise set the tone for the meeting.

Use meetings to get information.

Part of your job in a hearing is to find out what management is up to — and what their arguments are. This is especially important with grievances that may end up at the panel or in arbitration.

Get agreements in writing.

You may not do this for every little grievance, but definitely do it with discipline cases and contract interpretation issues. If management refuses to sign-off



Don't let management gang up on you. Negotiate over the terms of the meeting — who is present and where it takes place.

on an agreement, write your own understanding of the terms and give or send it to them.

Take control.

Your goal should be to control the tone, direction and outcome of a grievance meeting. Here are some basic suggestions:

Ask questions. One strategy is to get management talking and keep them talking. Force them to explain actions. Take note of lies or discrepancies.

Take your time. Set the pace. Management likely considers grievance meetings a waste of time. Take the time needed to address everything.

Don't get angry. Being aggressive and firm is good. But do not let management make you lose control when you don't want to.

Do get angry. Stewards have the right to go head to head with management and argue aggressively.

If the contract is helpful, make management read the contract language out loud or read it to them.

Take notes. Someone should be prepared to take written notes. Initial meetings are often used to find out where management stands, what evidence they have and so on. Write down key management statements. After the meeting take a minute to jot down anything you may have missed. Make a note of the date and time and who was present.

Case Study:

Questions to Use For Grievances Over Rule Violations

Often a good grievance presentation is built around questions. So it is important to put together a list of questions. Here are ones that could be used for a discipline case over rule violations.

Questions to ask:

- ☐ Was everyone notified of the rule? How and when? Was *this* worker there?
- ☐ Was the rule understandable? If not, how can the company discipline workers over it?
- ☐ Is the worker being punished for something which was allowed before? They can't start to crack down without first warning employees.
- ☐ Is the rule itself reasonably related to efficient and safe operation of the company?
- ☐ Did management follow due process?
- ☐ Did management investigate before disciplining? Was the investigation fair and objective? Did the investigation produce substantial evidence of guilt?
- ☐ Was progressive discipline used? Or was the discipline too harsh for the seriousness of the offense?
- ☐ Is management applying the rule evenly, or just for certain individuals?
- ☐ Is management trying to impose a new rule without dealing with the union?
- ☐ What does the employee's past record look like? (You want to check this ahead of time if possible, so there are no bad surprises.) How many years of service? If a worker has many years of service with few or no problems, this can sway an arbitrator away from serious punishment for a minor offense.

Want to Know More?

Get the Book!

This article is taken from information in the TDU handbook **Grievances: Using the Grievance Procedure to Defend Our Rights and Build Power on the Job.**

Copies are available from TDU for \$8. Contact TDU at 313-842-2600 to order, or write us at TDU, PO Box 10128, Detroit, MI 48210.

Teamster Shorts



Wal-Mart on the Mat on Unpaid Overtime

Employees and former employees in 28 states have sued Wal-Mart for being forced to work overtime without pay. Wal-Mart paid \$50 million to settle a similar class-action suit in Colorado in 2000.

Despite management assurances that company policies forbid the practice, employees told frequent stories of being told to work before clocking in or after clocking out. Employees in several states even told of being locked into the store after the end of their shifts and told to "finish straightening out the store," without pay, before they could leave.

Mrs. Baird's Bakery Tries to Stiff Drivers

After a federal judge put Mrs. Baird's plan to force a thousand delivery drivers in three states to buy their routes for \$60,000 or more on hold, the parent company, Bimbo Bakeries USA, agreed to a rapid arbitration on the issue with Houston Teamster Local 988. The drivers will keep working during the arbitration.

West Coast Longshore Workers Fight Automation and Lies About National Security

With their contract expiring July 1, 10,000 members of the International Longshore Workers Union (ILWU) are once again confronted with demands for automation of loading and unloading work by the shippers, the Pacific Maritime Association (PMA). But the dock-workers are also under pressure from the federal Office of Homeland Security, which has been indicating to ILWU President Jim Spinosa that it would be in the "national interest" not to strike. Luckily, the ILWU has a history of resisting this kind of pressure.

Raise Proposed for Minimum Wage

Senator Paul Wellstone (D-MN) has introduced legislation to raise the minimum wage \$1.50 an hour by Jan. 1, 2004. The proposed \$6.65 an hour would still be well below the 1968 minimum wage, which would be \$8.14, adjusted for inflation.

According to a report by the Economic Policy Institute, the current minimum wage of \$5.15 has already lost 10 percent of its value since it took effect in September, 2001. A full-time worker in a minimum-wage job putting in 40 hours a week, 52 weeks a year, earns only \$10,770 a year, \$4,300 below the official 2002 government poverty guideline for a family of three (and that "poverty guideline" is pathetically unrealistic).

Sacramento UPS Air Operations Arbitration Won—6 Years Later

When is a contract not a contract? When it can be violated for years before it's enforced.

Local 150 just won \$3.6 million in lost wages and benefits for over 100 workers at the Mather (California) air operation. UPS had hired a nonunion vendor to perform the work. The workers will be brought under the contract and into the union, with back dues and initiation fees also paid by the company.

Quote of the Month

"Unions are not economic institutions competing for market shares. They have no independent life of their own apart from their members, as corporations have. They are not instruments of industry but of people, to be made, unmade or changed as the interests of those people may dictate."

—Lane Kirkland, then President of the AFL-CIO

Anheuser-Busch Slapped by Labor Board Again

Last December, the National Labor Relations Board ordered AB's management at Baldwinsville, N.Y. (Local 1149) to stop harassing or disciplining employees for speaking out at informational meetings, and to provide employees with the steward of their choice (within limits of availability) at disciplinary meetings.

The company appealed for reconsideration, but only technical changes were made in the decision.

AB still has to post a notice that it "WILL NOT refuse to allow a requested steward to represent an employee..." and it "WILL NOT threaten ... an employee if he or she engages in ... speaking at corporate communication meetings."

Federal Employees on the Defense About Homeland Defense

President Bush is trying to set up the new Department of Homeland Security without civil-service protections.

The Secretary could ignore collective bargaining, grievance procedures, and whistleblower protections in the name of "departmental flexibility."

The same exceptions were instituted in much of the Justice Department earlier this year. Federal employee union leaders are starting to resist these attacks on employees' protections.

Central States Pension Fund

No Pension Increase – Members Fight Back

Teamsters throughout the midwest, southeast and southwest states are being slapped with the news that the Hoffa administration has made a deal to freeze pensions in the Central States Fund, our union's largest.

Our biggest contract, with our best bargaining power, should lead the way in benefit improvements. But the tentative agreement with UPS is six years long, and Hoffa administration officials have announced there will be no increase in pension benefits. No one can realistically expect freight, carhaul and local contracts to get benefits above UPS.

Since the last round of increases was in 1997, this could mean an up to 11-year freeze. And even if you are not planning to retire in the next six years, this will affect you. After an 11-year freeze, increases will be unlikely to return benefits to the buying power of the 1997 levels.

Many other Teamster funds are going to announce increases, some of them big. Even the mismanaged Central Pennsylvania Fund, one of our union's very worst, has announced that 25-at-57 will increase to \$3,100, \$600 above Central States. Watch what happens in such plans as Chicago Local 705. If much smaller funds can increase benefits, why not our biggest?

What's Behind this Pension Freeze?

A side deal with UPS in the form of a "Memorandum of Understanding" pledges the Hoffa administration to support management's drive to convert pension plans to a "fully funded" status. This means a lot of money will go in, but little will go out.

Fully funded may sound good, but not when you see what is behind the language. First, it makes it harder to improve bene-

fits, because the trustees' first obligation becomes topping out the fund, instead of improving benefits. The important advantage of a large multi-employer fund is that it is big enough to ride out the ups and downs of the economy. When times are good, the fund can combine its employer contributions with investment returns to build up the funding and offer improvements, and when times are bad, it can combine employer contributions with some of the cushion it has.

Second, a fully funded plan is an employer's dream. It puts our pension fund at risk by making it easier for employers to pull out. A fully funded plan has no withdrawal liability, so an employer can leave it for free. With some reasonable share of unfunded liability (Central States is already about 85 percent funded, a high ratio), an employer trying to withdraw is legally required to pay a hefty penalty, so employers have an incentive to stay in the fund.

Time for Action

You may hear "it's not our fault, it's not in the contract, it's up to the trustees." Remember, half the trustees are union appointees, including top Hoffa officials such as Vice President Phil Young. The decision to refuse to increase pensions was made right at the top.

Hoffa promised the "best contract ever" at UPS. The best contract ever would not include an 11-year freeze on benefits.

Central States Teamsters are starting now to organize a grassroots campaign to demand significant increases. It may take petitions, motions from dozens of local unions, delegations and if necessary legal and political action. Contact TDU if you are concerned about this issue.

Central PA Pension Fight Continues

The latest wrinkle in the fight to salvage decent pensions from the troubled Central Pennsylvania Pension Fund is a proposed merger with the New York State Fund. This is a position being pushed by the International union and six of the eight local unions involved. The proposal is being resisted by Reading Local 429, the pension fund's controlling local and Allentown Local 773.

On July 17 the actuaries from the New York State Fund, the Central Pennsylvania Fund and an actuary appointed by the IBT met to discuss the feasibility of such a merger. Audits on both funds have reportedly been completed but the results have yet to be released. Sentiment among the rank and file is running heavily in favor of the merger due to a complete lack of trust in the Central Pennsylvania Fund.

Members Say 'Do It Right, Not Fast'

The leaderships of the six locals sup-

porting the merger are pushing for a quick completion of the merger. But the leadership of the rank and file Central Pennsylvania Teamster Pension Reform Committee is more concerned with getting it done right than with getting it done fast.

There are many unanswered questions about the merger and the committee wants to get a full and complete understanding of what such a merger would mean and to make sure the numbers add up. They are demanding transparency, accountability and full disclosure before any final decisions are made.

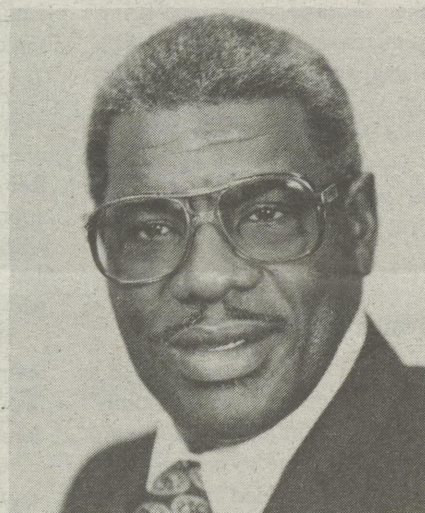
Meanwhile, in an apparent last ditch effort to shore up some support for their keeping control of the fund, the Central Pennsylvania Pension trustees are now offering freight and UPS Teamsters a \$3,100 a month benefit for 25 years of service at age 57. Based on their past performance, no one believes anything they have to say anymore.

WHY COME TO THE TDU CONVENTION

REASON #6: WORKSHOPS

Have you ever wondered how to:

- ▶ Improve shop floor representation?
- ▶ Learn your rights?
- ▶ Keep your boss in check?
- ▶ Become a better steward?
- ▶ Win a better contract?
- ▶ Get your union leaders to listen to you?



"Being a better Teamster means being a *better informed* Teamster, and there's no better place to get informed than the TDU Convention. The workshops alone make it worth the trip. I probably learned more at my first TDU Convention than I did in my 20 years as a Teamster before that. And I keep coming back to the convention, because I always know I'll learn something new that I can put to work back home.

"Think about it: how much information have you ever received from your union officials? If you want serious, practical Teamster education that you won't find anywhere else, the TDU Convention's the place to be."

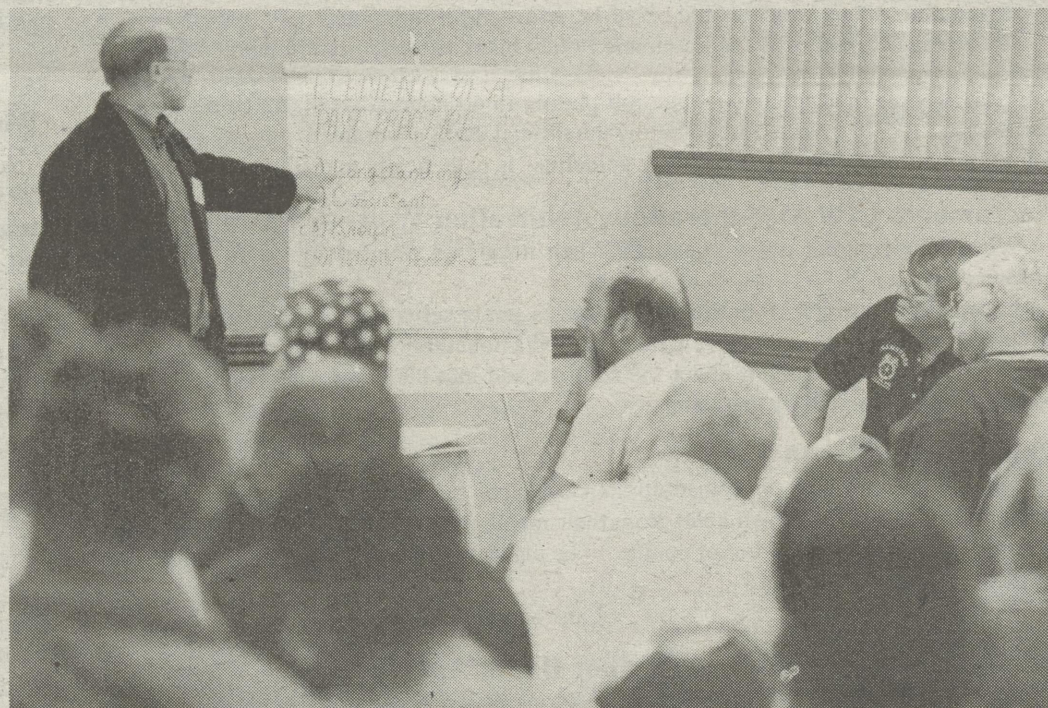
Willie Hardy
Local 667, Roadway Express, Memphis

Want to Find Out More?

TDU members will soon receive a convention brochure with full registration information. If you are not a member, have not received a brochure, or want more information, call TDU at 313-842-2600.

The TDU Convention's the place to find out how!

- ▶ Hands-on workshops led by experienced fellow Teamsters and labor educators.
- ▶ Information and education you can't get anywhere else.
- ▶ Whether you're new to our union or an experienced activist, there's something here for you!



"I've been doing labor education workshops across the country for years now, but I always look forward to the TDU Convention. The Teamsters I meet at my workshops are some of the sharpest union people I know, and I can always count on them to challenge me. Best of all, I always come away having learned a thing or two.

"I hope to be taking a few questions from you at this year's TDU Convention!"

Bob Schwartz, attorney and labor educator (shown above conducting a workshop on past practice grievances at a TDU Convention).

Schwartz has also conducted workshops on the legal rights of union stewards, using the Family and Medical Leave Act, and fighting mid-contract changes.